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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

September 15, 1997

VIA HAND DELIVERY


Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Room 222
Washington, D.C. 20554

Re: Comments in ET Docket No. 97-157

Dear Mr. Caton:

WRNN-TV Limited Partnership, through counsel, hereby files the original and four copies of its comments to the Notice of Proposed Rule Making in ET Docket No. 97-157. Please contact the undersigned if you have any questions.

Sincerely,


Ann K. Ford
Michael Ruger

Enclosures

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BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Reallocation of) ET Docket No. 97-157
Television Channels 60-69,)
the 746-806 MHz Band)

To: The Commission

COMMENTS

1. WRNN-TV Limited Partnership ("WRNN"), licensee of Station WRNN-TV, Channel 62, Kingston, New York, files these brief comments in response to the Commission's Notice of Proposed Rule Making (FCC 97-245, released July 10, 1997) ("NPRM"). WRNN encourages the Commission to adopt rules that would permit television licensees currently operating on channels 60 through 69 with the greatest possible flexibility in deciding when to vacate their analog channels in favor of public safety and new service licensee.

BACKGROUND

2. WRNN currently operates on UHF TV channel 62 and has been assigned channel 21 as its DTV channel.¹ As its analog channel is outside of the core band, WRNN must relocate permanently to the new DTV channel with no possibility of returning to its existing frequency.

¹On June 13, 1997, WRNN filed a petition for reconsideration to the Sixth Further Notice of Proposed Rule Making in Advanced Television Systems and Their Impact upon the Existing Television Broadcast Service (MM Docket No. 87-268) requesting the substitution of channel 48 as its DTV channel in lieu of channel 21. That request is pending.

3. In its NPRM, the Commission proposes that channels 60 through 62 and channels 65 through 67 will be allotted for fixed and mobile services as well as broadcasting services. NPRM at ¶ 13. Noting that current full-power television licensees will be permitted to continue operating on channels 60 through 69 until the conclusion of the DTV transition period in 2006,² the Commission questions whether new licensees should be able to "make arrangements with broadcast licensees and permittees for ceasing exiting or planned broadcast operations in this band or relinquishing their interest in a new station on these channels." NPRM at ¶ 21. The Commission also asks whether such arrangements should include monetary compensation. Id. Under the Commission's proposal, if a television broadcaster currently operating on channel 60 through 69 vacated its analog channel prior to 2006, that station would be permitted to commence operation on its DTV channel without simultaneously operating a companion analog channel.

Discussion

4. WRNN supports the Commission's proposal to permit existing television licensees to negotiate with new users of the reallocated channels 60 through 69 to surrender their rights to those frequencies before the end of the DTV transition period in 2006. Given the tremendous expense and disruption associated with the transition to DTV--which will likely be amplified for stations such as WRNN which will be unable to relocate to their original

²NPRM at ¶ 21.

channels since those channels are outside of the core band--the Commission should afford the greatest flexibility to broadcasters in deciding whether to vacate existing analog channels prior to 2006. Permitting affected parties to negotiate for monetary compensation as a condition of vacating channels prior to 2006 will provide an added incentive, while at the same time offering affected broadcasters the possibility of receiving some form of compensation that will assist in the expense of the DTV transition. Furthermore, if a television licensee vacates its channel prior to 2006, the public interest will be served by the rapid initiation of new services on the vacated channel.

Conclusion

6. By permitting negotiations between current and future users of the reallocated channels, the Commission will allow those most affected by the transition to determine for themselves when it is feasible to move and whether monetary compensation should be part of the calculus. Accordingly, WRNN supports the Commission's proposal in its NPRM to provide parties with the ability to negotiate for permanent moves from channels 60 through 69 prior to the end of the DTV transition period in 2006.

Respectfully submitted,



Ann K. Ford
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